

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

TIMOTHY JACKSON,
Plaintiff,

v.

LAURA WRIGHT, et. al.,
Defendants.

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Civil Action No. 4:21-mc-00008

**MOVANTS' OPPOSED MOTION TO QUASH SUBPOENAS
AND MOTION FOR PROTECTIVE ORDER**

Pursuant to Federal Rules of Civil Procedure 45 and 26(c), non-party movants Benjamin Brand, Jennifer Cowley, Jincheng Du, Francisco Guzman, John Ishiyama, Matthew Lemberger-Truelove, and Jennifer Wallach (collectively “Movants”), file this Opposed Motion to Quash Subpoenas and Motion for Protective Order.

Movants are seven officials of the University of North Texas (UNT). Despite the fact that the underlying case is pending in the Eastern District of Texas, Sherman Division (the “Issuing Court”), Plaintiff had issued subpoenas for Movants to produce documents in Fort Worth—where no party is located, no Movant is located, and no counsel in this litigation is located. That choice by Jackson now requires that this motion be filed in the Northern District of Texas instead of in the court where the litigation is already pending. *See* Fed. R. Civ. Pro. 45(d)(3).

GROUND FOR MOTION

As explained further in the accompanying brief, not only does Jackson’s choice of Fort Worth as the compliance location for the subpoenas result in an unnecessary waste of resources—

both that of the parties' and of this Court's—but the subpoenas themselves subject Movants to an undue burden because sovereign immunity and Jackson's lack of standing prevent jurisdiction over the issuance of the subpoenas in the first place. Moreover, in subpoenaing documents from UNT officials that duplicate requests Jackson has already made to the parties themselves, Jackson inflicts an undue burden on Movants. Further, Jackson requests are overly broad, not reasonably limited in time and scope and unduly burdensome. Finally, the requests seek documents that are privileged.

CONCLUSION

For the foregoing reasons, Movants respectfully request that the Court quash the subpoenas, and enter a protective order to prevent Movants from having to comply with the subpoenas.

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

I certify that on May 19, 2021, I conferred with Plaintiff's counsel, Michael Allen, regarding the substance of this motion who indicated that Plaintiff was opposed to the relief requested in this motion.

/s/ Matthew Bohuslav
MATTHEW BOHUSLAV
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of May, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which automatically provided notice to the following CM/ECF participants:

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